

# **EXHIBIT “C”**



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December 21, 2007

Via E-Mail

Arthur B. Sternberg  
Thompson Coburn Fagel Haber  
55 East Monroe St., 40th Floor  
Chicago, IL 60603

Re: Digisound-Wie, Inc. v. Bestar Technologies, Inc., et al.  
Case No.: 07 C 6535  
Our File No.: 8207-1

Dear Mr. Sternberg:

We received Plaintiff's First Request To Produce directed to Defendants' BeStar Technologies, Inc., Dirk de Young and Helene de Young. We have also learned that you have issued subpoenas to the parties without sending any notice to us as is required by the rules. Moreover, your discovery requests were improperly issued. Federal Rules of Civil Procedure 26(d) requires that discovery may be initiated until a Rule 26(f) conference has taken place. Discovery is not to be initiated or sought from any source unless otherwise "authorized under [the] rules or by order or agreement of the parties." Fed. R. Civ. P. 26(d). The Court has not issued an order permitting the parties to bypass this requirement nor have the parties agreed to conduct discovery. We suggest that the Rule 26(f) conference be conducted after all of the defendants have been served, but if you would like to do it sooner than that, we will consider your request.

We, therefore, demand that you withdraw your production requests and any other discovery requests that you may have sent out or served, including any requests to third parties. If you do not withdraw your discovery request(s), we will be forced to seek redress with the Court.

Should you have any questions or comments, please do not hesitate to contact the undersigned.

Very truly yours,

  
James K. Borcia

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